

**LIFE AND TRIAL OF
REV. EPHRAIM K. AVERY,**



THE MEETING OF REV. E. K. AVERY AND HIS VICTIM.

**FOR THE MURDER OF
MISS SARAH M. CORNELL.**

**Murder and Women
in 19th-Century America
Trial Accounts
in the Yale Law Library**

Lillian Goldman Law Library, Yale Law School



Murder and Women in 19th-Century America

Trial Accounts in the Yale Law Library

An exhibition curated by

**Emma Molina Widener
& Michael Widener**

November 19, 2014 – February 21, 2015

**Lillian Goldman Law Library, Yale Law School
New Haven, Connecticut**

Emma Molina Widener retired in December 2014 after twenty years teaching college Spanish at the University of Texas, Austin Community College, the University of New Haven, Yale University, and most recently at Southern Connecticut State University. Her bachelor's degree is in political science and public administration from the Universidad Nacional Autónoma de México. From the University of Texas at Austin she has a master's in library science, a Certificate of Advanced Study in Latin American libraries & archives, a master's in Latin American Studies, and A.B.D. in Spanish literature. She worked as a librarian at El Colegio de Mexico and at the Universidad Nacional Autónoma de México before going to the Office of the President of Mexico, where she was in charge of the Presidential Library.

Michael Widener is the Rare Book Librarian at the Lillian Goldman Law Library, Yale Law School, and is on the faculty of the Rare Book School, University of Virginia. He was previously Head of Special Collections at the Tarlton Law Library, University of Texas at Austin. He has a bachelor's degree in journalism and a master's in library & information science, both from the University of Texas at Austin.

Unless otherwise noted, all quotations in the descriptions are from:

Thomas M. McDade, *The Annals of Murder: A Bibliography of Books and Pamphlets on American Murders from Colonial Times to 1900* (Norman: University of Oklahoma Press, 1961).

Morris L. Cohen, *Bibliography of Early American Law* (6 vols.; Buffalo, N.Y.: William S. Hein, 1998).

INTRODUCTION

In 19th-century America, cheap pamphlets disseminated all sorts of popular culture to a mass audience, everything from religion and politics to sex and violence. Publishers understood that, like today, sensationalism sells. Murder trials provided sensational content, and especially murder trials where women were the victims or the accused.

Thomas McDade's *Annals of Murder*, covering murder trials up to 1900, lists 1,055 murder trial publications from the 19th century. For the period up to 1860, Morris Cohen's more comprehensive *Bibliography of Early American Law* lists over a thousand murder trial titles, more than half of all criminal trials and more than all civil trials combined. Most are from the northeast U.S., where the publishing industry and its biggest markets were located.

In looking through these pamphlets, one can't help but

notice the parallels with today's prime-time TV programming. Indeed, some of them are fiction in disguise. They are a rich source for studying popular culture and the history of the book, as well as legal history. Trials involving women are especially valuable for the study of 19th-century gender roles.

Perhaps no genre of 19th-century legal literature is better served by research tools than murder trials. McDade's *Annals of Murder* and Cohen's *Bibliography of Early American Law* provide superb indexes and colorful descriptions, as you can see from our captions. Online databases such as Gale's *Making of Modern Law: Trials* and HeinOnline's *World Trials* enable full-text searching.

Emma Molina Widener

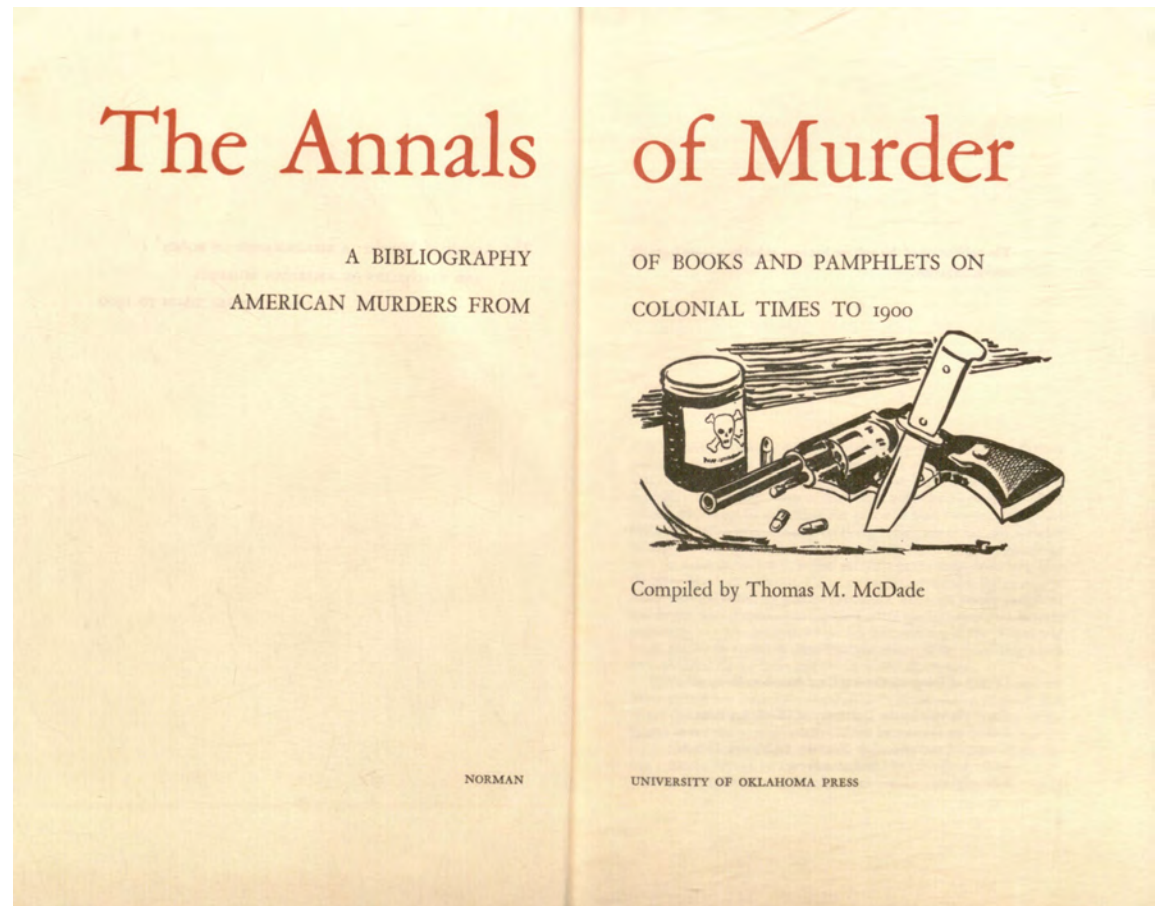
Michael Widener

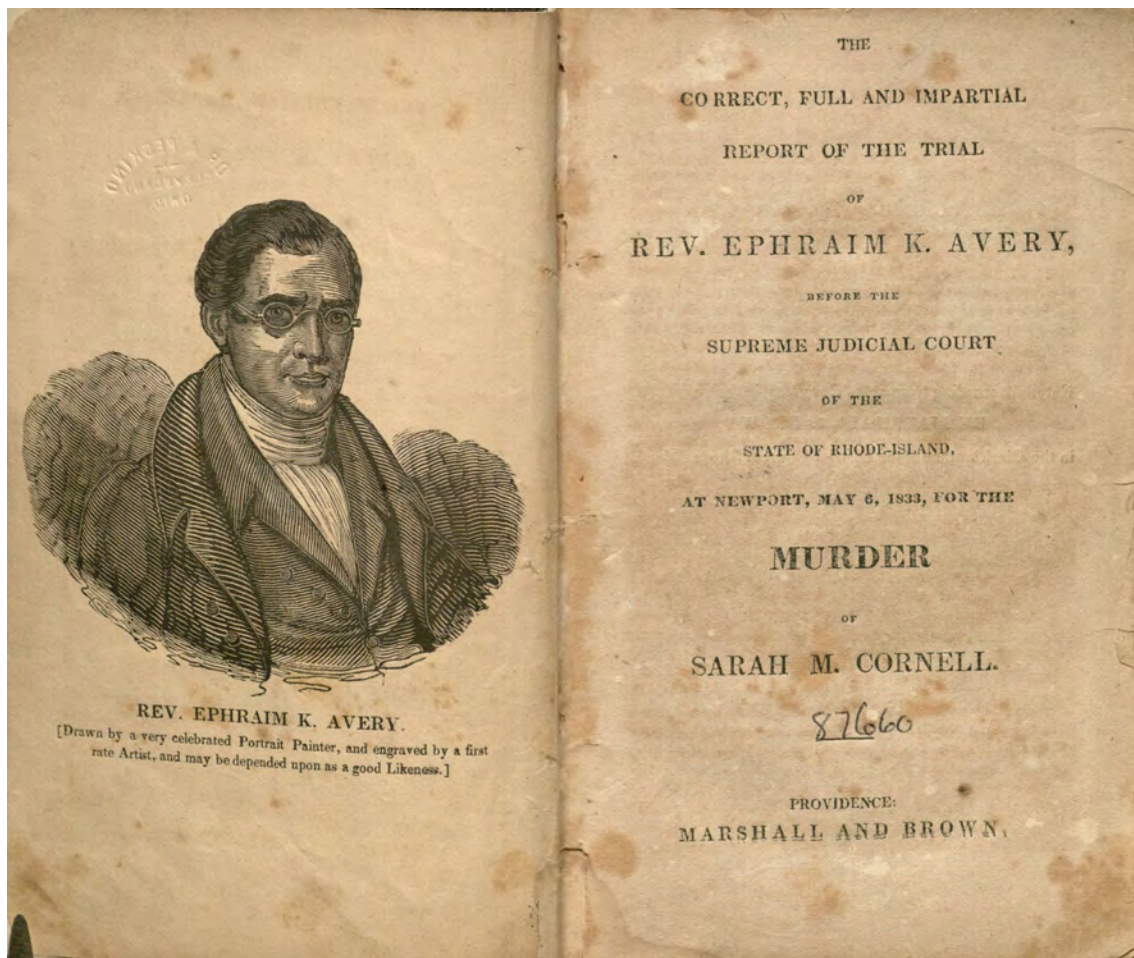
“To bookmen dealing with the literature of American crime, one reference work is of towering importance: Thomas McDade’s bibliography, *The Annals of Murder*. Even in the wider field of Americana, its value can scarcely be minimized. Indeed, so well conceived and executed is it, and so engaging in its own right, that it might fairly be said to be one of the finest genre bibliographies in American book collecting.”

– Patterson Smith, “Thomas McDade and *The Annals of Murder*”

“[My wife’s] comment on seeing the draft of the manuscript perhaps best characterizes this work: ‘It doesn’t have much plot, but what a cast of characters!’”

– Thomas McDade, *The Annals of Murder*, page xii

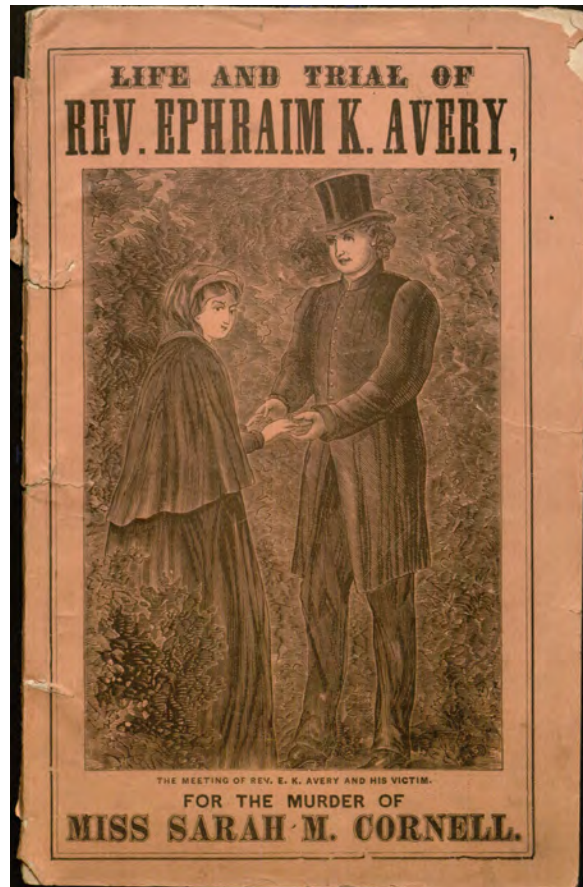




The correct, full and impartial report of the trial of Rev. Ephraim K. Avery, before the Supreme Judicial Court of the state of Rhode-Island, at Newport, May 6, 1833, for the murder of Sarah M. Cornell (Providence: Marshall and Brown, 1833). McDade 36; BEAL 12302.

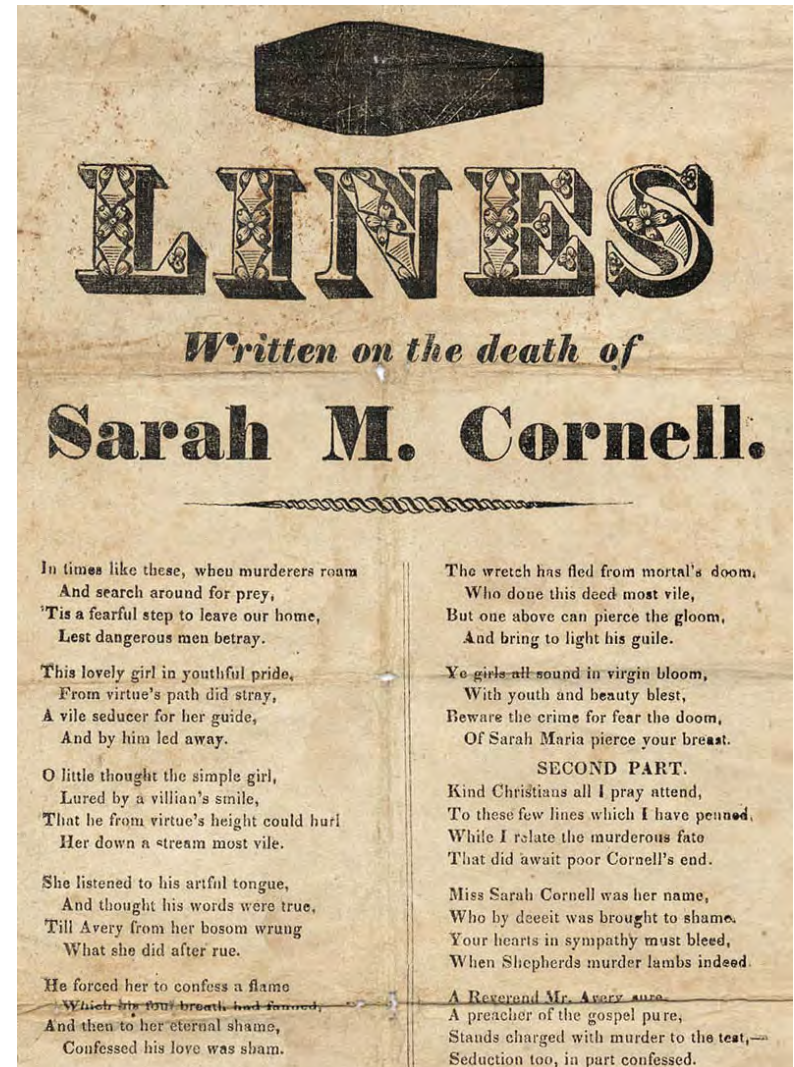
“When Sarah Cornell was found hanging from the frame of a haystack in Tiverton, Rhode Island, it might easily have been called suicide but for a note she had left in her bandbox saying, ‘If I should be missing, enquire of the Rev. Mr. Avery, of Bristol,- he will know where I am.’ This was the beginning of the Reverend’s troubles and one of the most famous nineteenth-century cases.” – McDade, *Annals of Murder*

“During Avery’s trial, the paternity of the victim’s unborn child was an issue. In spite of considerable evidence against him, Avery was acquitted, and the case gave rise to many publications – a few being objective accounts, but most with a bias either for or against Avery.” – Cohen, *Bibliography of Early American Law*



Life and trial of the Rev. Ephraim K. Avery, for the murder of the young and beautiful Miss Sarah M. Cornell (Philadelphia: Barclay & Co., Publishers, [1887]). McDade 48.

“A typical product of Barclay in purple prose, long after the event.” – McDade, *Annals of Murder*

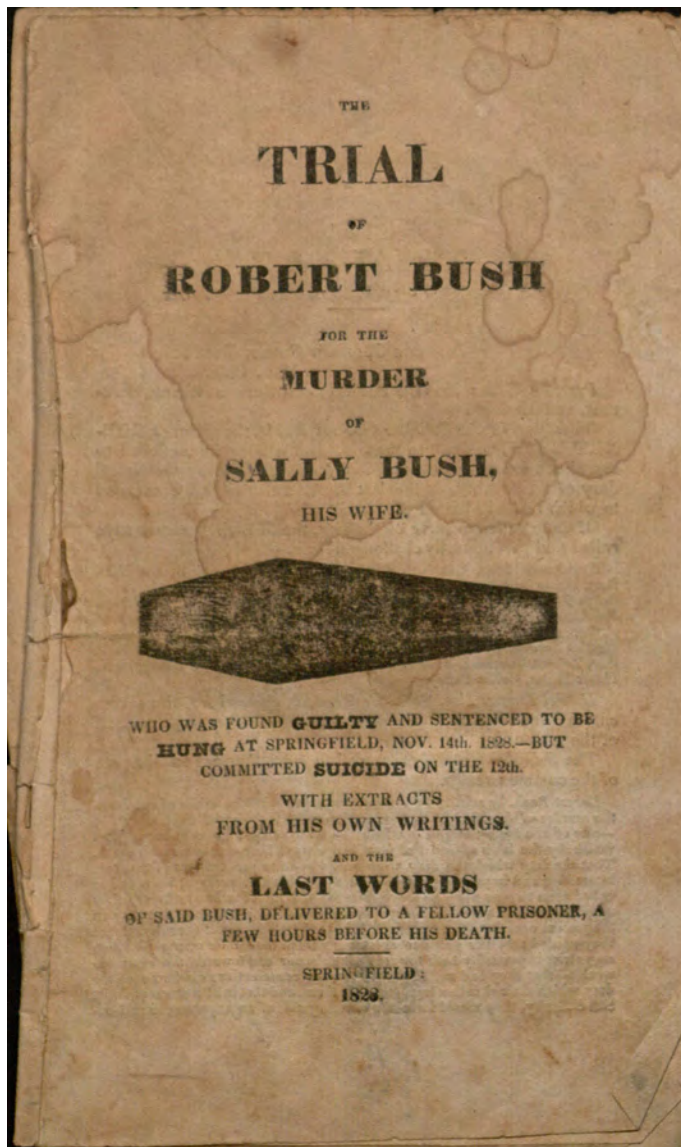


Lines written on the death of Sarah M. Cornell. Broadside [1833?]. Not in McDade.



Unidentified report of the Ephraim Avery trial, including woodcut illustration of the haystack where Sarah Cornell's body was found. Caption on page [5]: Trial of the Rev. Ephraim K. Avery. Library's copy lacks all before page [5]

and all after page 38. Bound with: Ephraim K. Avery, *Explanation of the circumstances connected with the death of Sarah Maria Cornell* (Providence: W.S. Clark, 1834). McDade 38; BEAL 12299.



The trial of Robert Bush for the murder of Sally Bush, his wife: who was found guilty and sentenced to be hung at Springfield, Nov. 14th, 1828, but committed suicide on the 12th (Springfield, Mass., 1828). McDade 151.

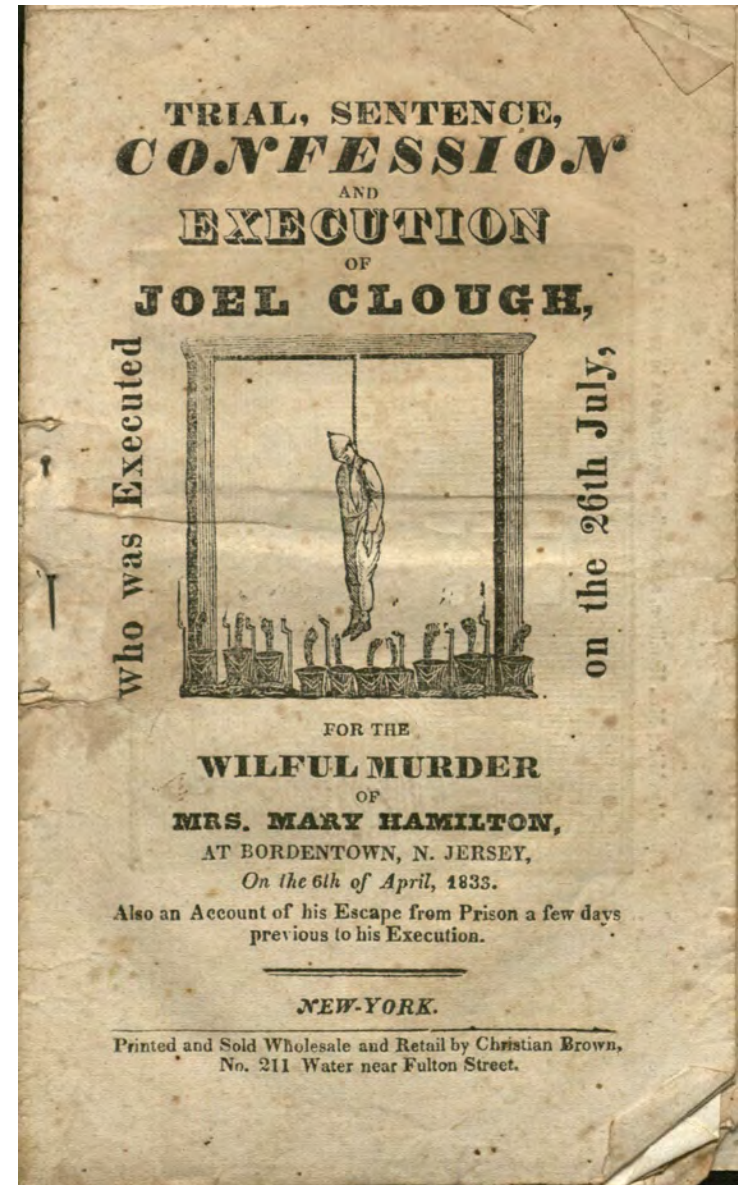
“Bush killed his wife with a shotgun at Westfield, Massachusetts, while apparently dosed with opium. He used a mixture of tobacco and opium to kill himself in jail.” – McDade, *Annals of Murder*

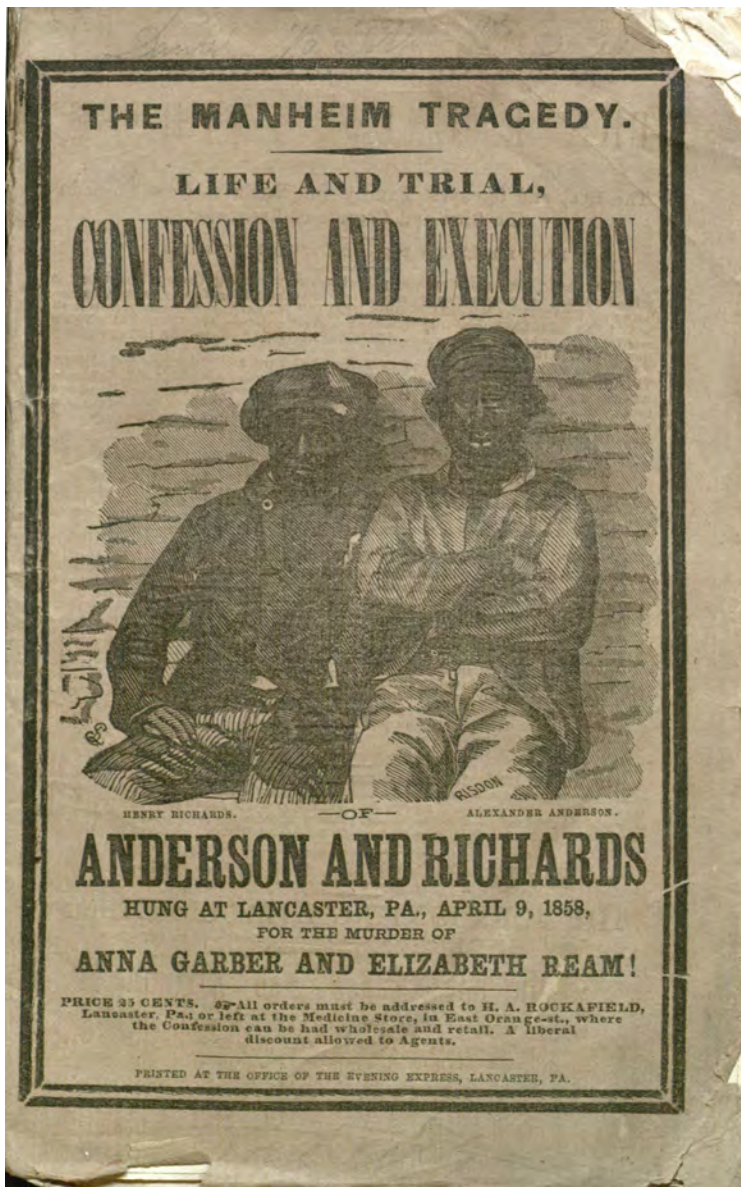
Clough stabbing Mrs. Hamilton, as described by witnesses in pages 8 & 9.



Trial, sentence, confession and execution of Joel Clough: who was executed on the 26th July, for the wilful murder of Mrs. Mary Hamilton, at Bordentown, N. Jerse[y] on the 6th of April, 1833 (New-York: Printed and sold wholesale and retail by Christian Brown, [1833]). McDade 191; BEAL 12436.

“Clough was infatuated with Mrs. Hamilton, a widow who did not return his affection. In a fit of frustration he stabbed her to death. The case attracted wide attention at the time, as is evidenced by the various pamphlets.” – McDade, *Annals of Murder*





The Manheim tragedy: a complete history of the double murder of Mrs. Garber & Mrs. Ream, with the only authentic life and confession of Alexander Anderson (Lancaster, Pa.: H.A. Rockafield, 1858). McDade 7; BEAL 12274.

“The prisoners, Anderson and Henry Richards, were chimney sweepers, one a negro, the other ‘a mulatto speaking the German language,’ who, while drunk, tried to get money from their victims; then in a struggle, knocked them in sensible, raped them, and cut their throats. A convincing piece of evidence was the splash of blood on Anderson’s trousers which matched the rest of the stains on a shoe he left at the scene of the crime.” – McDade, *Annals of Murder*

“This is ‘true confession’ or more significantly, ‘authentic African American autobiography.’ Possibly unique in American crime literature of the period, Alexander Anderson provided the publisher, H. A. Rockafield, with an account of his life, and confession, as he wanted it told, and did so by legal contract ... The signed, sealed agreement is reproduced in the publisher’s foreword, as is a detailed statement about the authenticity of the account.” – Robert H. Rubin Books (June 2013)

Alexander Anderson und Heinrich Richards im Begeben des Morde an



Frau Anna Gerber und Frau Elisabeth Riem, am 13. December, 1837.

Ich ging dann in die Küche. Heinrich war mit Frau Riem handgendu geworden, und hatte sie am Tische der Küche niederknien. Er hatte als ich aus der Küche kam, war es ihr gelungen sich hinter in die Höhe zu erheben und sie hatte den Geruch über Heinrich, der im Agostin stand seine Hände auf ihre Brust abzusuchen, aber ich sagte ihm, er solle nicht scheitern, weil der Geruch der Hände aber brennt gleich konnte. Frau Riem hatte Heinrich noch nicht los gelassen und rang mit ihm, ich aber brachte dies zum Ende, indem ich sie mit dem Handbell niederdrückte. (Seite 48.)

Das Manheimer Trauerspiel: eine vollständige Geschichte von dem Doppel-Morde der Frau Gerber und Frau Riem (Lancaster, Pa.: Volksfreunds und Beobachters, 1858). Variant of BEAL 12275. Not in McDade.

The great “trunk mystery” of New York City: murder of the beautiful Miss Alice A. Bowlsby, of Paterson, N.J., her body placed in a trunk and labelled for Chicago (New York: Hill & Co., 1872). McDade 828.

“Though Rosenzweig was charged with murder, the case is actually one of abortion. He was found guilty of manslaughter, and there is a brief report of the trial.” – McDade, *Annals of Murder*

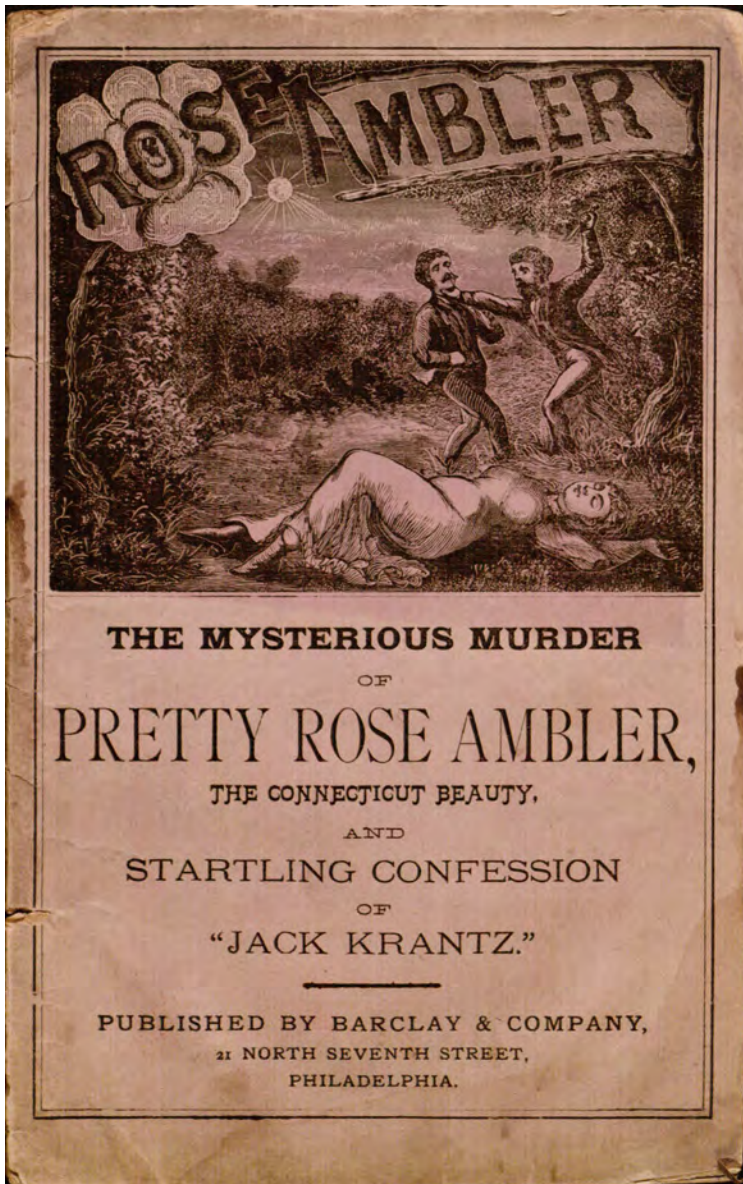




The Trunk tragedy, or, The late mysterious murder in New York: of the young and lovely Miss Alice A. Bowsby of Patterson, N.J., in the vile den of a New York abortionist (Philadelphia: C. W. Alexander, 1870). McDade 829.

The mysterious murder of pretty Rose Ambler, the Connecticut beauty, and awful confession of "Jack" Krantz (Philadelphia, Pa.: Barclay & Co., 1883). Not in McDade.

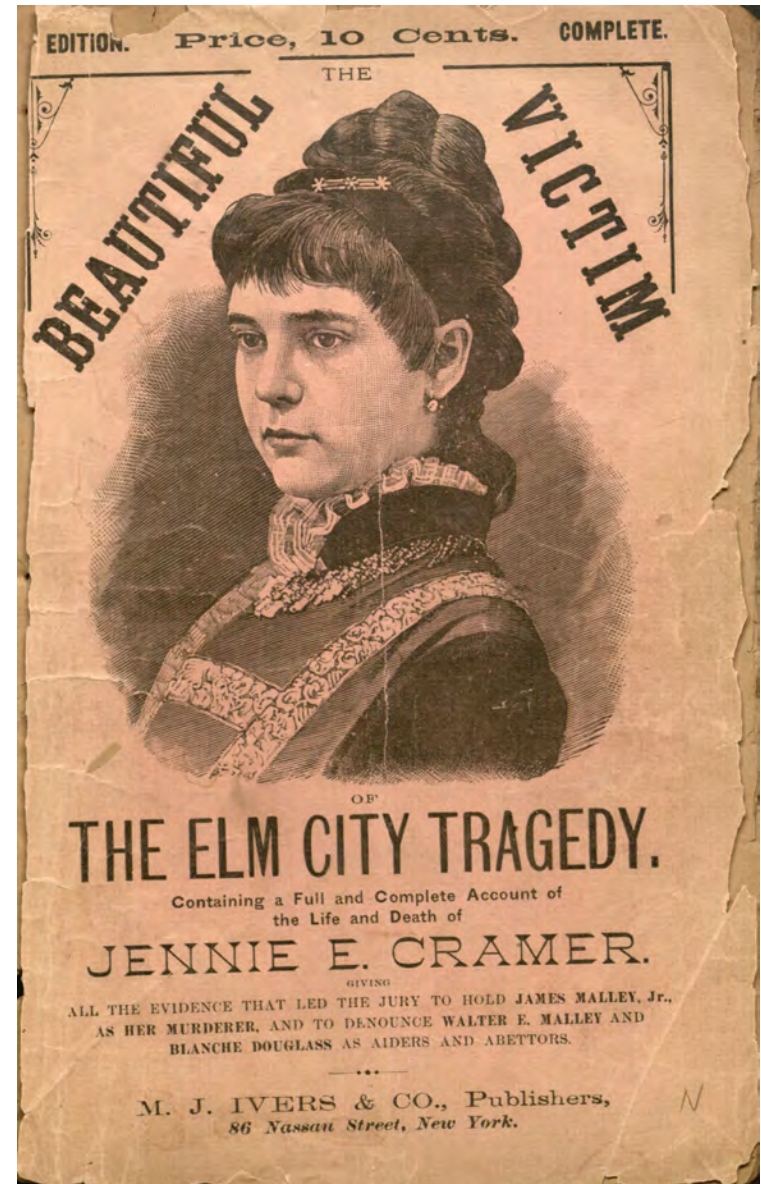
"A rare, typically lurid production of the Barclay Company, which developed a cottage industry for titillating true crime pamphlets. This one takes place in and near Stratford, Connecticut. It is the story of a beautiful woman's love gone wrong. ... Neighbors heard the final screams of Rose and, as they exclaimed, 'It was no owl that we heard last night. It was the death cry of Rose Ambler.' Much material is printed on the dramatic testimony of witnesses, and the investigation and details of the crime." – David M. Lesser Books (Mar. 2010)



***The beautiful victim of the Elm City: being a full, fair, and impartial narrative of all that is known of the terrible fate of the trusting and unfortunate Jennie E. Cramer* (New York: M.J. Ivers & Co., 1881). McDade 666.**

“This is a New Haven, Connecticut, case in which Jennie Cramer was found dead, face down in water. [This work goes] only as far as the coroner’s charge against Malley. He was cleared and the death may have been accidental. Edmund Pearson [Dime Novels, Boston 1929] credits this case with starting the famous series of dime novels in which was introduced one of the most celebrated detectives of paperback fiction: Old Cap Collier.” – McDade, *Annals of Murder*

“Had a thunderbolt from a cloudless sky dashed to fragments the noblest elm in the City of New Haven, it could not have so startled the inhabitants as did the announcement that a young lady of their own acquaintance had probably been cruelly outraged, and either done to death in a most fiendish manner, or else driven to take her own life to drown the recollection of the barbarous treatment she had received from two reputed respectable citizens.”
– Preface



Mary Stannard's Murder

OR,
THE MADISON HORROR.



THE ONLY FULL AND AUTHENTIC ACCOUNT

OF THE

ARREST AND TRIAL

OF THE

REV. HERBERT H. HAYDEN.

...

A TERRIBLE HISTORY.

...

WAS POOR MARY STABBED OR POISONED?

A STRANGE CLAIRVOYANT STORY.

PRICE 15 CENTS.

Entered according to Act of Congress, in the year 1879, by Allen & Walker, in the Office of the Librarian of Congress, at Washington.

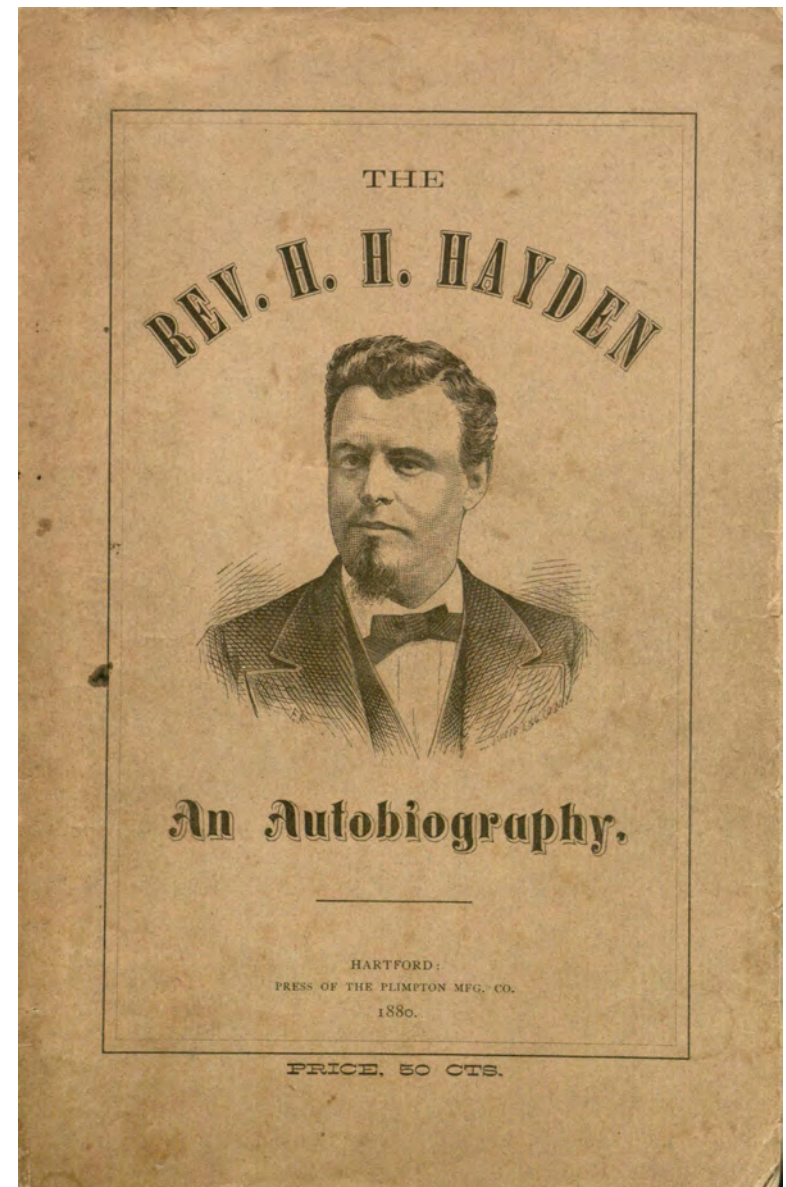
Poor Mary Stannard! A full and thrilling story of the circumstances connected with her murder: history of the monstrous Madison crime (New Haven: Stafford Printing Co., 1879). McDade 449: "This work covers only the preliminary hearing."

"Mary Stannard was a servant girl who worked for the Reverend's family. She had told several friends that she was pregnant by Hayden and tried to make plans for an abortion, although it would seem from the evidence that she was not really pregnant. She arranged to meet Hayden in a field where she went to pick berries and where she was found with her throat cut. Hayden was arrested but was released after a hearing. When arsenic was found in the girl's stomach he was rearrested and tried, but the jury disagreed and he was released. A very interesting case." – McDade, *Annals of Murder*



The Rev. Herbert H. Hayden: an autobiography; the Mary Stannard murder, tried on circumstantial evidence (Hartford: Press of the Plimpton Mfg. Co., 1880). McDade 450.

“This account has only the testimony of Hayden and his wife and part of the closing speeches.” – McDade, *Annals of Murder*

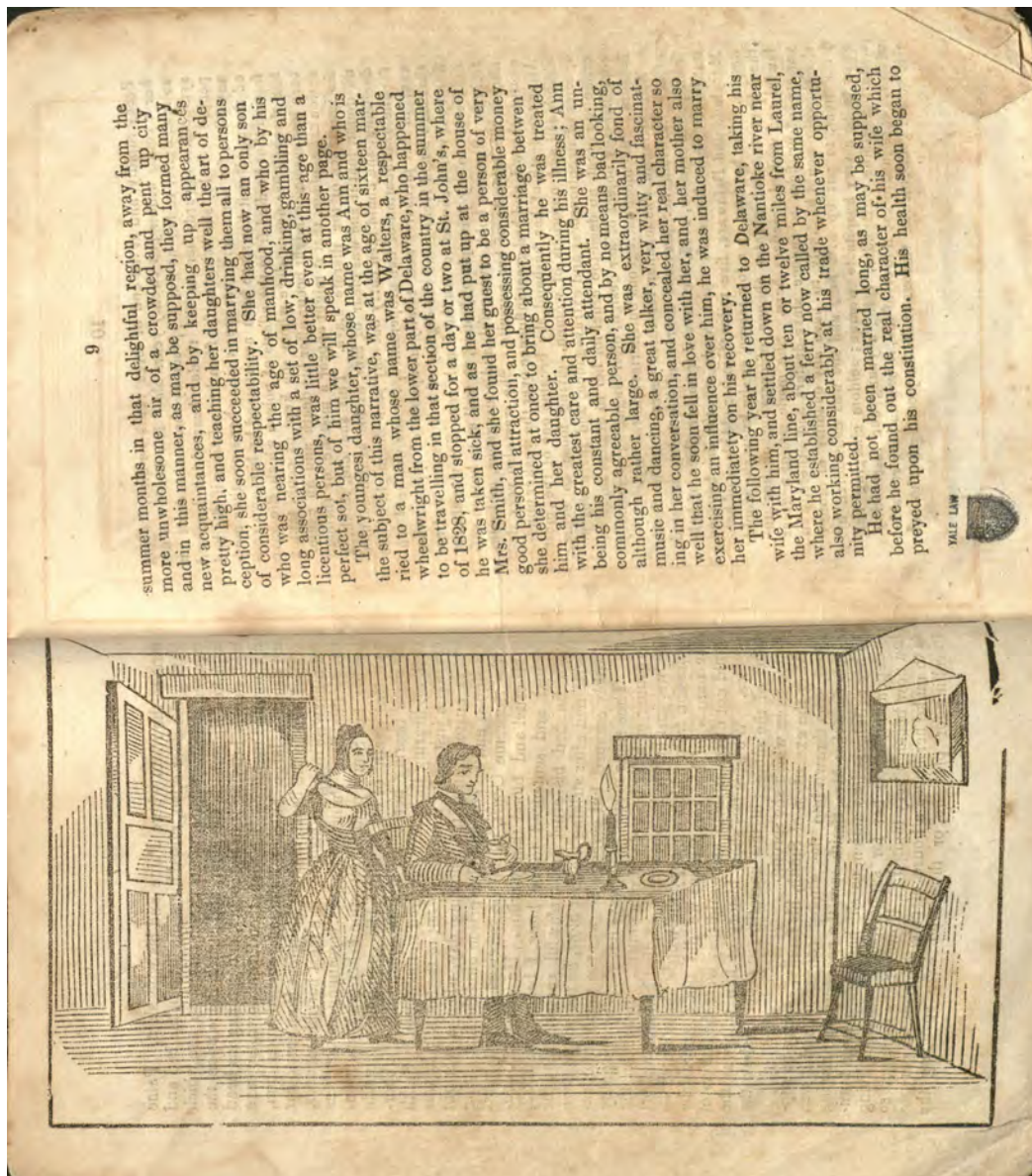




The sad case of Mrs. Kate Southern! The beautiful, virtuous Georgia wife, who, being maddened to insanity by the outrageous taunts of a bad woman who had enticed her husband away, killed her (Philadelphia, Pa.: Old Franklin Pub. House, 1878). McDade 894.

“This actual case arose from the murder of Narcissa Canart in Picken, Georgia. Public sentiment was unusually high and favored the defendant. This work is a mixture of fact and fiction.” – McDade, *Annals of Murder*





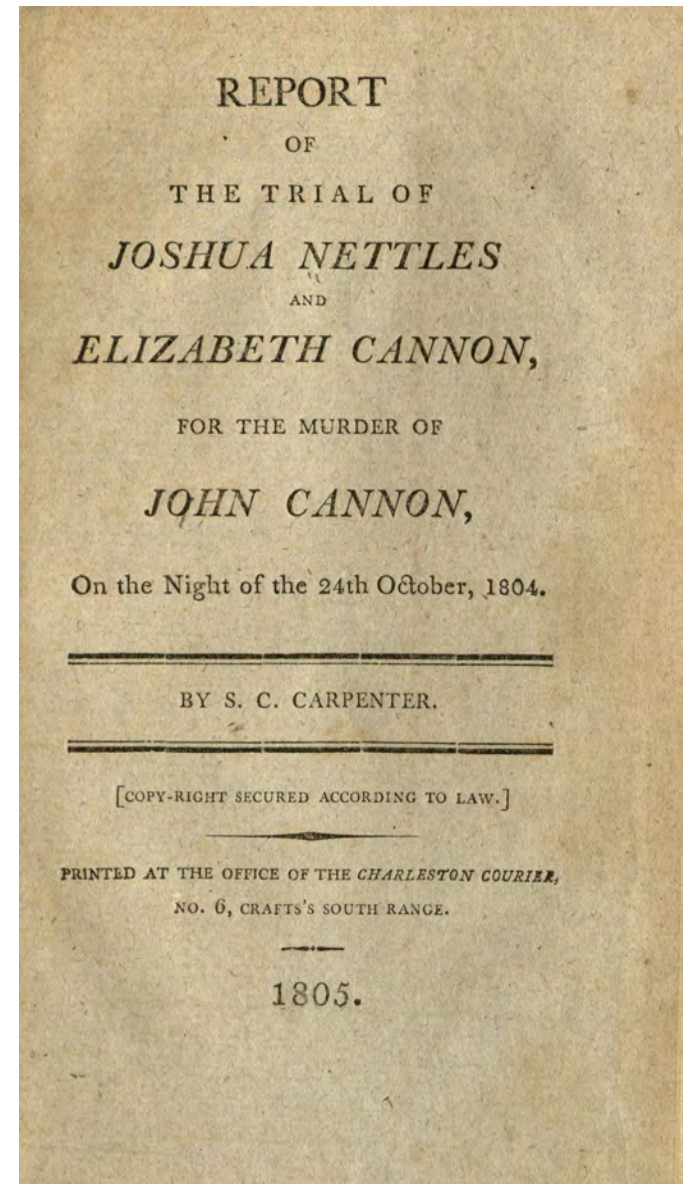
Life and confession of Ann Walters, the female murderess; also the execution of Enos G. Dudley, at Haverhill, N.H., May 23d, 1849; to which is added the confession of Mary Runkle, who was executed for murder ([Boston?]: Printed for the proprietor, 1850). McDade 1036; BEAL 4189.

“The Walters item is undoubtedly fictitious, reporting a dozen murders. The Dudley case, a wife murder, seems genuine. The Runkle case is reported in *Life and Confession of Mary Runkle* [a first-person recital that sounds like fiction].” – McDade, *Annals of Murder*

“These accounts of the criminal activities (including several murders) and the execution of Ann Walters are generally considered to be fictitious. The accompanying accounts of other murders seem more credible, but may also be fictitious.” – Cohen, *Bibliography of Early American Law*

Report of the trial of Joshua Nettles and Elizabeth Cannon for the murder of John Cannon on the night of the 24th October 1804 ([Charleston, S.C.]: Printed at the office of the Charleston Courier, 1805). McDade 715; BEAL 12904.

“An unusual case at Goosecreek, South Carolina, in which the wife’s lover murdered her husband outside the house and put the body in bed with the wife who attempted to conceal the crime. He was convicted and hanged. She, with Southern consideration for womankind, was acquitted.” – McDade, *Annals of Murder*



TRIAL
OF
Mrs. Margaret Howard,
FOR THE
MURDER
OF
MISS MARY ELLEN SMITH
HER HUSBAND'S PARAMOUR,
In Cincinnati, on the 2d of February last.



MRS. HOWARD.

PREFIXED TO THE TRIAL OF MRS. HOWARD MAY BE FOUND A MEMOIR OF HER
LIFE, BY JUDGE BROUGH, BY WHICH IT WILL BE SEEN THAT SHE
HAS SUFFERED ALL THE INDIGNITIES AND CRUELITIES
WHICH AN INHUMAN HUSBAND COULD INFLICT.

CINCINNATI, OHIO.
1849.

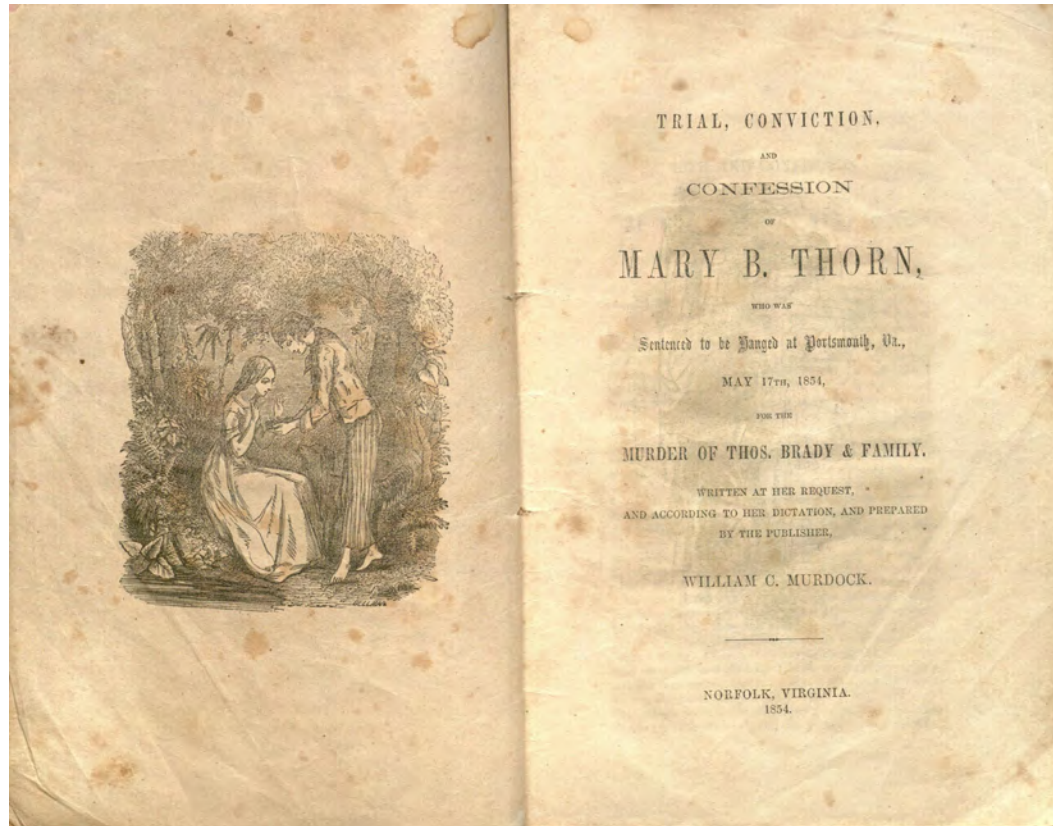
PRICE 18 $\frac{3}{4}$ CENTS, TO BE HAD OF TRAVELLING AGENTS ONLY



"My God! my God! what shall I do? my children! give me back my children!"

Trial of Mrs. Margaret Howard, for the murder of Miss Mary Ellen Smith, her husband's paramour, in Cincinnati, on the 2d of February last (Cincinnati, Ohio: [copyright by E.E. Barclay], 1849. McDade 490; BEAL 12721.

"Mrs. Howard stabbed her husband's mistress to death. She was acquitted on the ground of insanity." – McDade, *Annals of Murder*



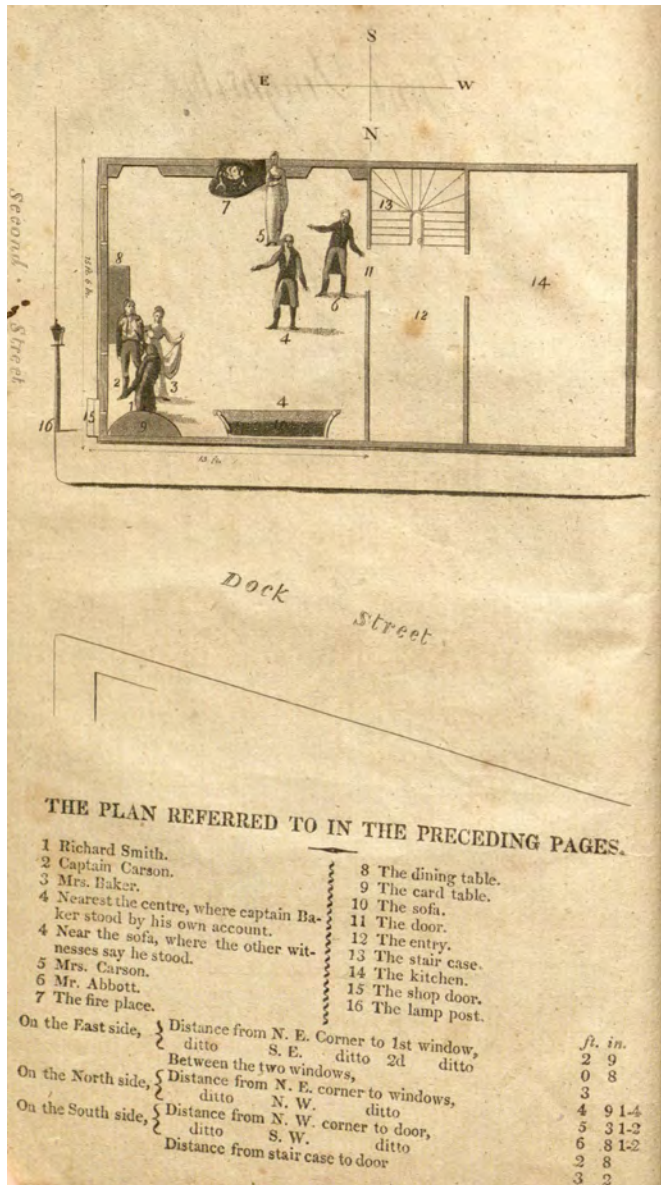
Trial, conviction, and confession of Mary E. Thorn, who was sentenced to be hanged at Portsmouth, Va., November 28th, 1853, for the murder of Thomas Brady and family (Norfolk, Va.: [William C. Murdock], 1853). McDade 980; BEAL 5197. "Written at her request and according to her dictation, and prepared by the publisher, William C. Murdock."

"According to this work Thorn was a servant girl who poi-

soned Brady, his wife, and four children by putting laudanum in their coffee. It appears to be a fictional case, although some of the reported evidence sounds real. There are, however, two other editions of this same work in which the subject is Mary B. Thorn and Portsmouth becomes Portsmouth. In one the date of execution changes to May 17, 1854, and in the other the date is December 22, 1854." – McDade, *Annals of Murder*

The trials of Richard Smith, late lieutenant in the 23d Regiment U. States Infantry, as principal, and Ann Carson, alias Ann Smith, as accessory, for the murder of Captain John Carson (Philadelphia: Published by Thomas Desilver ..., [1816]).
McDade 889; BEAL 13020.

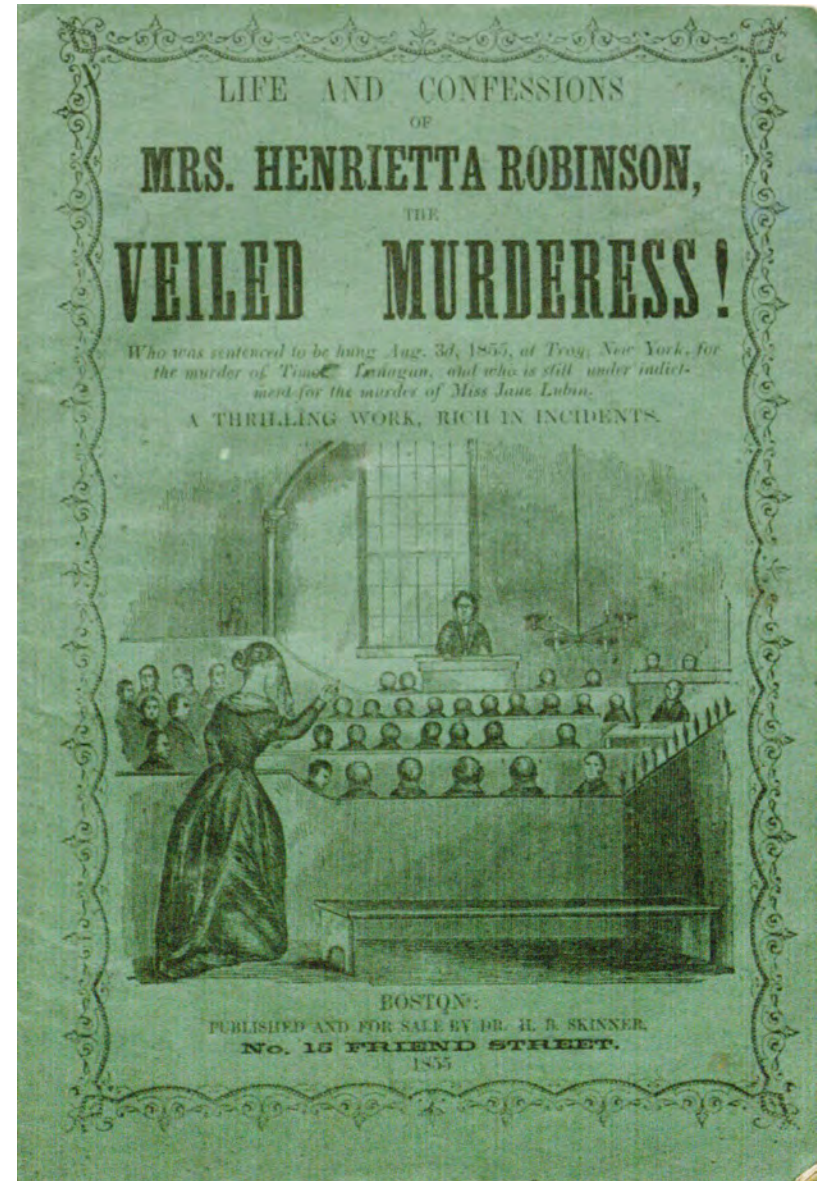
“The Carsons had been married nine years when John Carson left home in 1810. Not having heard from him for two years, his wife married Smith. Carson returned and, in trying to dispossess Smith of his wife and home, was shot by Smith. The judge practically directed Smith’s conviction and he was hanged. Mrs. Carson, who was a rugged individual in her own right, tried to kidnap the governor to save Smith. After his execution she joined a gang of counterfeiters and subsequently died in prison.” – McDade, *Annals of Murder*

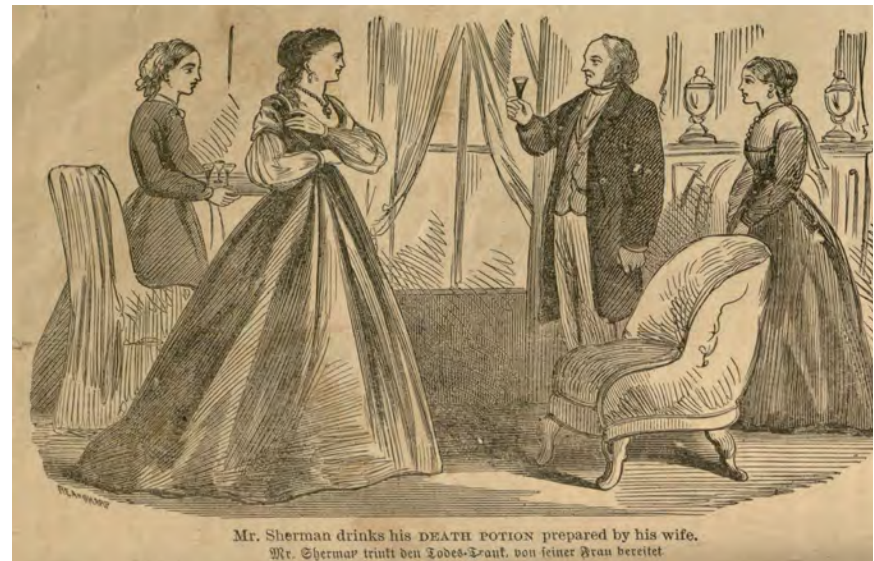
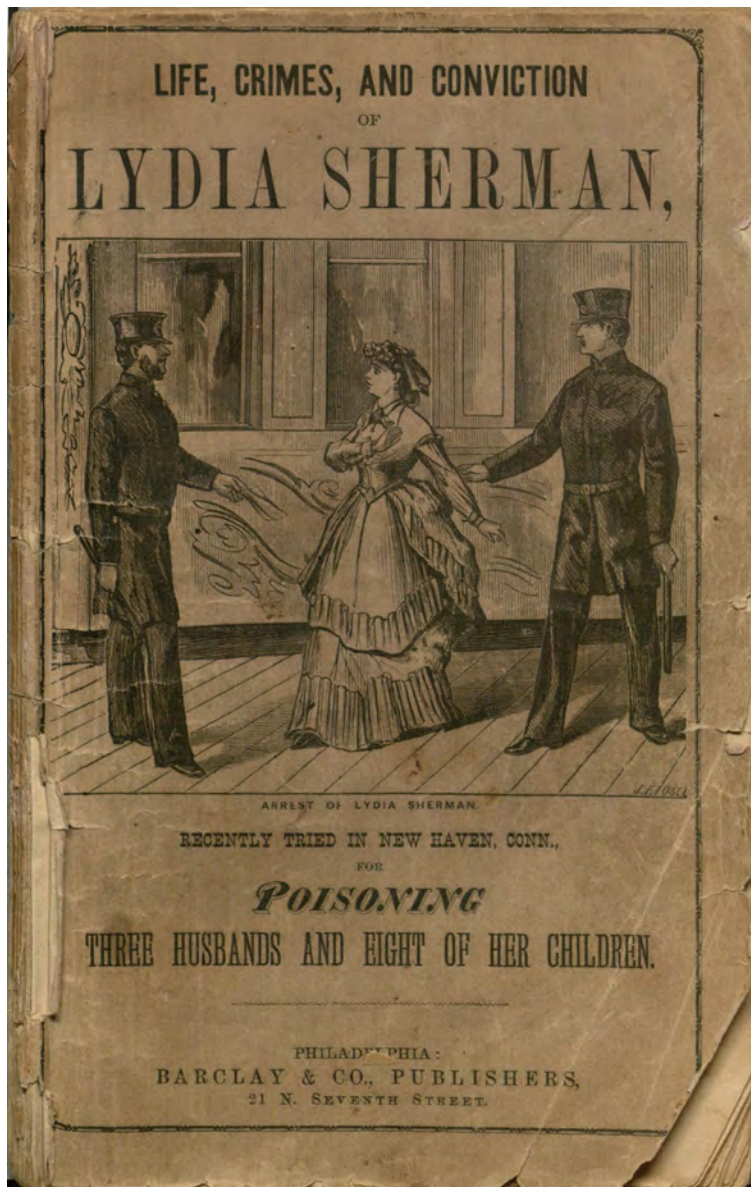


The life and confessions of Mrs. Henrietta Robinson, the veiled murderess, who was sentenced to be hung August 3d, 1855, at Troy, New York, for the murder of Timothy Lanagan, and who is still under indictment for the murder of Miss Jane Lubin (Boston: H.B. Skinner, 1855). McDade 805; BEAL 12954.

“An unusual arsenic poisoning in Troy, New York, of Timothy Lanagan and Catherine Lubee on May 25, 1853. Mrs. Robinson gave them the poison in beer. She sat throughout her trial in a heavy veil which won for her the cognomen of ‘Veiled Murderess.’ She died in the insane asylum’ [in 1905]. – McDade, *Annals of Murder*

“Henrietta Robinson, apparently insane, was convicted of poisoning Timothy Lanagan and Catherine Lubee. The drama of the trial was heightened by the defendant’s erratic conduct and her wearing a veil throughout the proceedings. The death sentence was commuted to life imprisonment over defendant’s objection and her claim that she preferred death. An appeal was taken to the Supreme Court of the United States for a new trial but was denied.” – Cohen, *Bibliography of Early American Law*





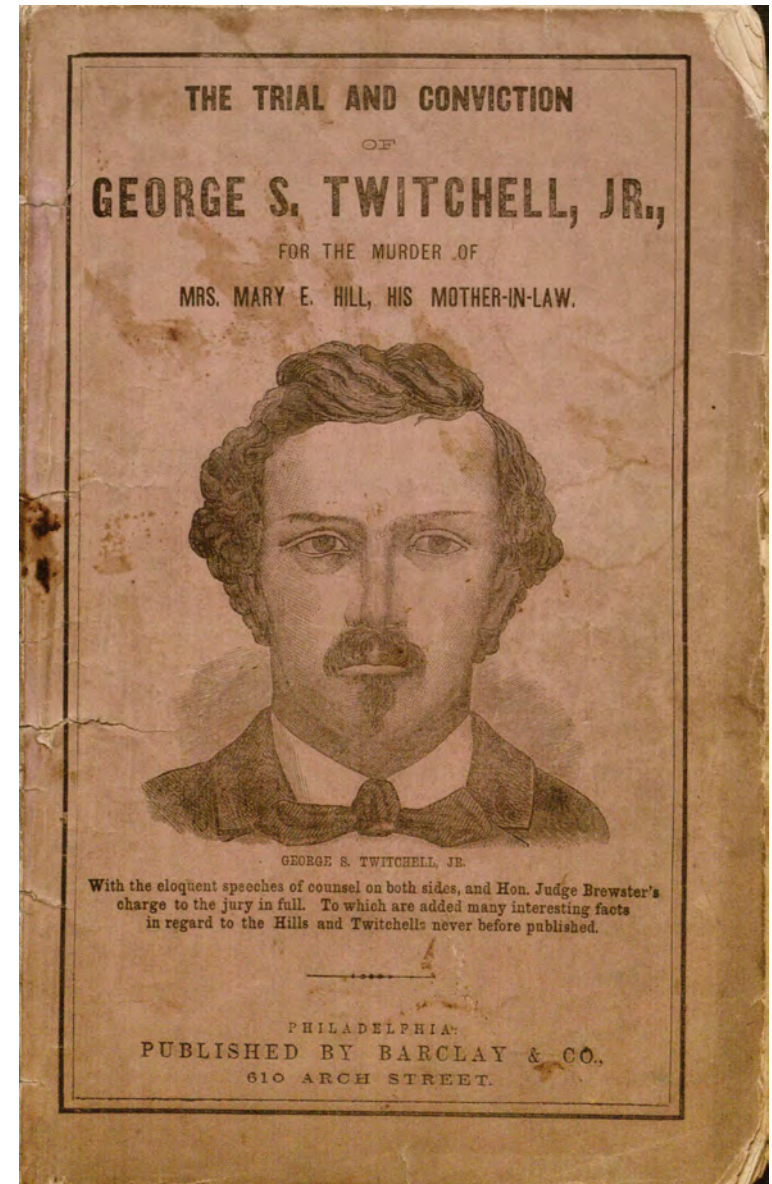
The poison fiend! Life, crimes, and conviction of Lydia Sherman, (the modern Lucretia Borgia,) recently tried in New Haven, Conn., for poisoning three husbands and eight of her children (Philadelphia: Barclay, 1873). McDade 866. Captions in English and German.

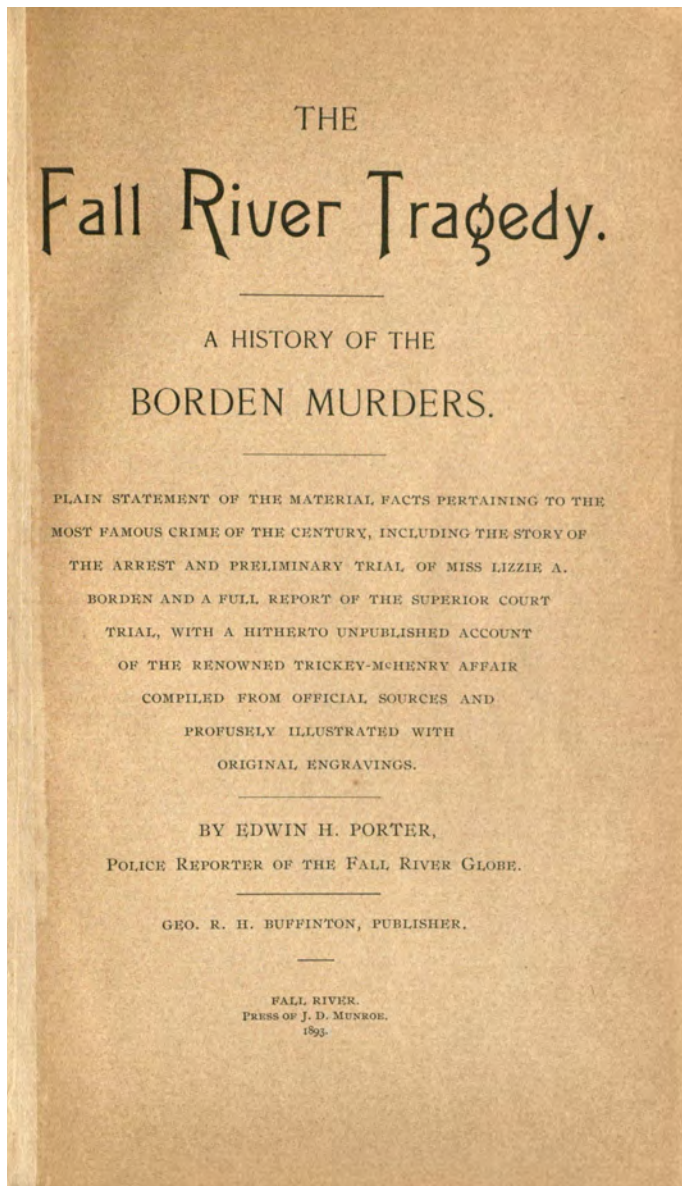
“Lydia Sherman admitted to poisoning two husbands and six children, but the true score was probably higher for her confession is ambiguous on several other deaths. Her motives were not precisely mercenary, nor did she murder out of spite or vindictiveness. She simply found a family an inconvenience, and poison such an easy solution. ... In prison she decided to ease her conscience and confessed, to an unsuspecting world, a whole series of poisonings.” – McDade, *Annals of Murder*



The trial and conviction of George S. Twitchell, Jr., for the murder of Mrs. Mary E. Hill, his mother-in-law (Philadelphia: Published by Barclay & Co. ..., 1869). McDade 1010. Purchased from Charles J. Tanenbaum Fund.

“Twitchell beat his mother-in-law to death with a poker, then threw her out a second-story window to simulate an accident. His wife was acquitted of the same charge.” – McDade, *Annals of Murder*





Edwin H. Porter, *The Fall River tragedy: a history of the Borden murders* (Fall River: G. R. H. Buffinton, 1893). McDade 117: “This is the basic book on the case.”

“The Borden case still ranks as one of the great American murder cases; to repeat the essential facts seems almost unnecessary. On August 4, 1892, Andrew J. Borden and his wife Abby were hacked to death in their home in Fall River, Massachusetts. Lizzie ... was tried and acquitted for the murder of her father and step-mother. It is difficult today to read the case and conclude that Lizzie was innocent. A number of elements in the case have made it a favorite of murder fanciers ... [and] make it a popular case for study and supposition. It also provoked some anonymous scribbler to create that undying jingle which enshrines the case in American folklore:

Lizzie Borden took an axe
And gave her Mother forty whacks;
When she saw what she had done –
She gave her Father forty-one!

– McDade, *Annals of Murder*



POSITION OF ANDREW J. BORDEN'S BODY WHEN DISCOVERED.

Edwin H. Porter, *The Fall River tragedy: a history of the Borden murders* (Fall River: G. R. H. Buffinton, 1893).

Arthur S. Phillips, *The Borden murder mystery: in defence of Lizzie Borden* (Portland, Me.: King Philip Pub. Co., 1986).

Abstract of *The Phillips History of Fall River* (1944-46).



LIZZIE A. BORDEN

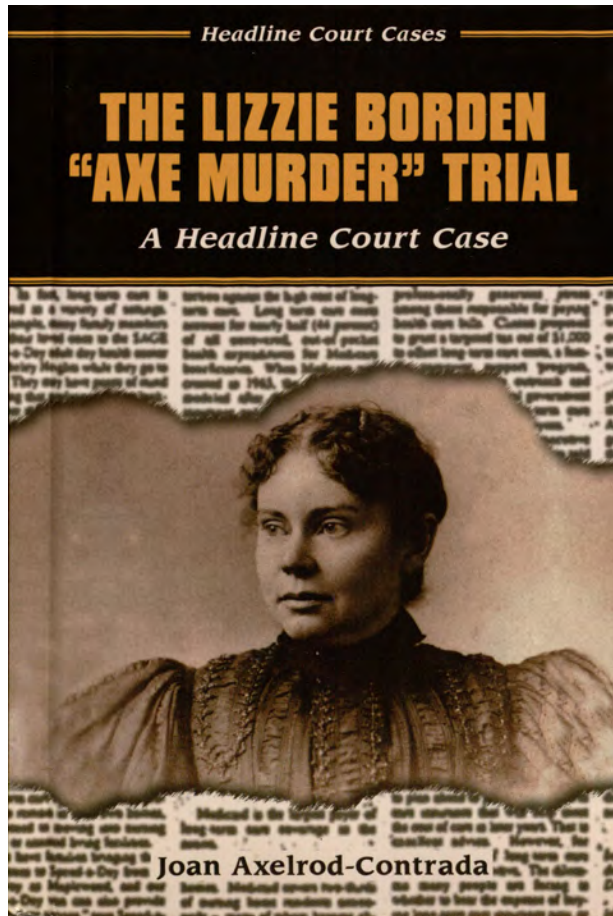
THE
BORDEN MURDER
MYSTERY

In Defence of Lizzie Borden

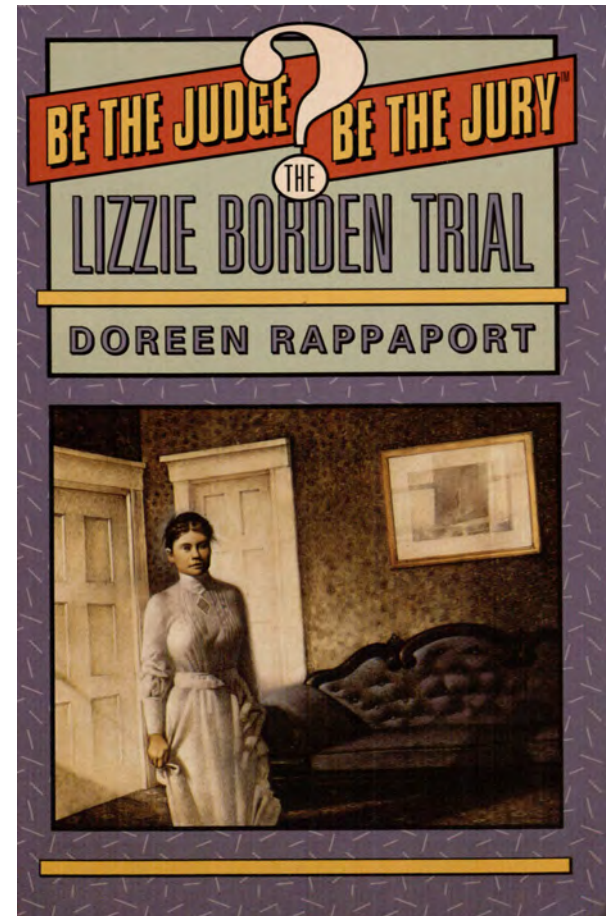
By
ARTHUR S. PHILLIPS



King Philip Publishing Co., Portland, Maine
1986

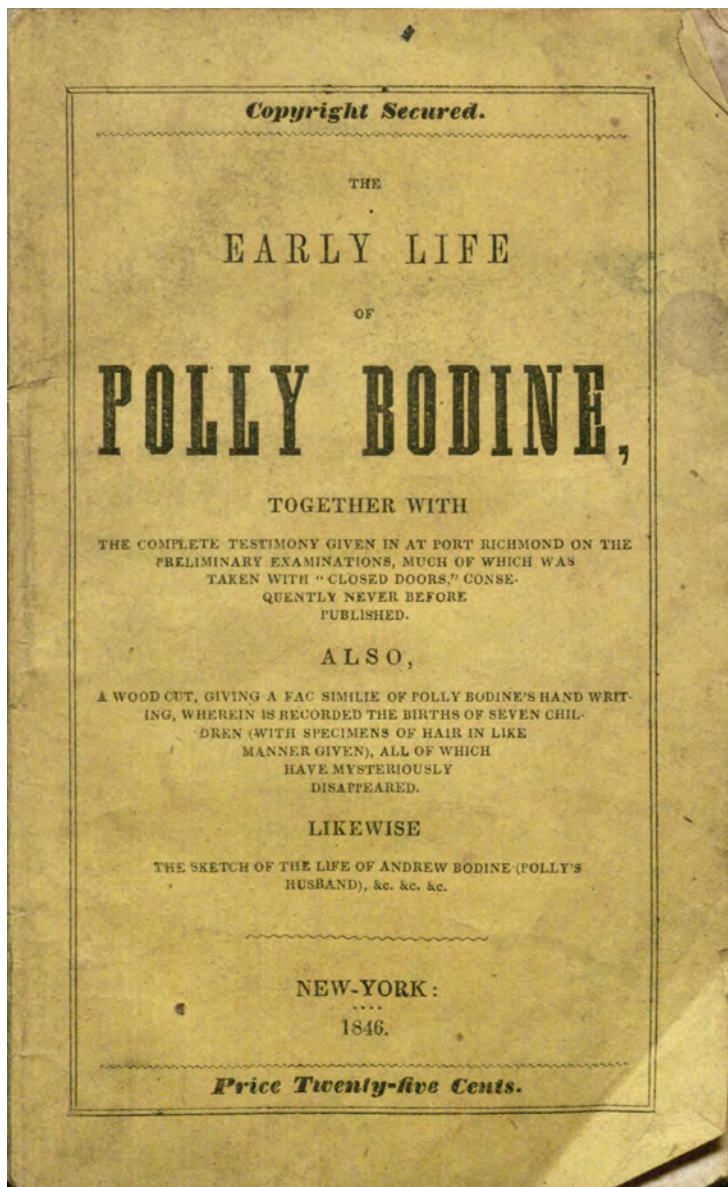


Joan Axelrod-Contrada, *The Lizzie Borden "axe murder" trial: a headline court case* (Berkeley Heights, NJ : Enslow Publishers, 2000).



Doreen Rappaport, *The Lizzie Borden trial* (New York: HarperTrophy, 1993).

A reconstruction of the Lizzie Borden trial, using testimony from edited transcripts of the trial, and during which the reader can assume the roles of judge and juror.



The early life and complete trial of Mary, alias Polly Bodine, for the murder of Emeline Houseman and her child (New-York: [publisher not identified], 1846). McDade 108; BEAL 12376.

“Emeline Houseman was the wife of Mary Bodine’s brother. She and her child were murdered on Staten Island, New York, and their house was burned. Bodine was reported to have sold articles stolen from the house. She was tried three times – resulting in a disagreement in Richmond County, a conviction in New York County which was reversed, and finally an acquittal in Orange County. The case made Mrs. Bodine so notorious that [P.T.] Barnum had a wax figure of her in his New York museum. This work is devoted chiefly to her earlier life.” – McDade, *Annals of Murder*



The early life and complete trial of Mary, alias Polly Bodine, for the murder of Emeline Houseman and her child (New-York, 1846). Back cover.

ACKNOWLEDGMENTS

Shana Jackson

Lillian Goldman Law Library

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Yale Law School

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Robert H. Rubin Books
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